

CITY COUNCIL MINUTES
JANUARY 26, 2006

The Round Rock City Council met Regular Session on Thursday, January 26, 2006, in the City Council Chamber, 221 E. Main Street.

CALL REGULAR SESSION TO ORDER – 7:00 P.M.

Mayor Pro-tem McGraw chaired the meeting in the absence of Mayor Maxwell.

PLEDGE OF ALLEGIANCE:

Mayor Pro-tem McGraw led the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, and Councilmember Ted Williamson. Mayor Nyle Maxwell arrived during item 6.A.1. and Councilmember Scott Rhode was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

CITIZENS COMMUNICATIONS:

The following individuals spoke in favor of staff's recommendation to rename the Allen R. Baca Senior Center to the Allen R. Baca Center for Senior and Community Activities.

Beth Carlile, 2612 Sinclair Street

Gloria Arroyo-Richardson, 2115 Bent Tree Court

Judson F. Parker, 1207 Creekview Drive

Don Forcier

PROCLAMATIONS:

5.A. Consider proclaiming February 20-26, 2006 as Sertoma freedom Week. Mayor Pro-tem McGraw read the following proclamation and presented to members of the Sertoma Club.

WHEREAS, we believe that man was endowed by his Creator with certain inalienable rights, and

WHEREAS, we believe among those rights is that of Freedom, and

WHEREAS, Sertoma International, a Civic Organization with the Motto "Service to Mankind" adopted an annual "Freedom Week" during National Heritage Month dedicated to the reaffirmation of the values and responsibilities of man in a free society, and

WHEREAS, the Round Rock Sertoma Club will carry out special Bill of Rights activities at Round Rock Independent School District elementary schools during Freedom Week; and

WHEREAS, it seems proper and fitting to bestow official recognition to this patriotic movement,

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NOW, THEREFORE, We, the Round Rock City Council by virtue of the authority vested upon us as Mayor and Councilmembers of the City of Round Rock, Texas, do hereby designate the week of February 20 through February 26, 2006 as "SERTOMA FREEDOM WEEK" in the City of Round Rock and urge all citizens to support the objective of the Sertoma Club and of Freedom Week.

PROCLAIMED this 26th day of January 2006.

PUBLIC HEARINGS:

6.A.1. Consider public testimony regarding the proposed annexation of 496.084 acres of land out of the Joseph Marshall and P.A. Holder Surveys. (Harris/ Bison/Telander/ Keller/Krienke/Elrod/ Reid Tract) Jim Stendebach, Planning and Community Development Director made the staff presentation. The tract of land known as Harris/Bison/Telander/ Keller/Krienke/Elrod Reid Tract is a total of 496.084 acres located on the south side of US HWY 79 directly west of the LCRA Wastewater Treatment Plant. It is adjacent to single family residential development and a mixed use planned unit development to the south. It is the city's desire to annex this tract in order to control the development along this portion of US HWY 79, which is considered a major east/west corridor into the city. This area was not previously annexed due to the lack of access to the tract. The City is working with Williamson County to extend Arterial "A" to the annexation tract and permit temporary access from an at-grade crossing opposite Harrell Parkway. The new access will open the tract for development.

Tom Word, Chief of Public Works Operations described where Arterial "A" would cross Brushy Creek and the railroad to US 79. He added that the road would be built under the railroad. A second public hearing will be held on January 30, 2006. On December 16, 2005, written notices were sent by certified mail to the property owners of the proposed annexed lands and to all public and private utility providers that could be affected.

Mayor Pro-tem McGraw opened the public hearing.

John Harris expressed his concern regarding the annexation and asked for more details, plans and schedule for the annexation.

Doris Reid, 3309 Palm Valley Boulevard read a prepared statement of concern signed by Pat W. Bierschwale, Bison Building Materials, Ltd., Keith Krienke, KLM Farm, Earnest N. Johnson

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for Johnson Farm, Lawrence C. Reid and Doris J. Reid. The statement included questions from the property owners concerning the annexation.

Keith Krienke stated his comments were in the letter read by Doris Reid.

There being no further testimony, the public hearing was closed.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. There was no separate discussion on any of these items and no items were removed from the consent agenda.

*8.A. Consider approval of the City Council minutes for January 12, 2006.

*9.A.1. Consider an ordinance amending Chapter 3, Section 3.1412 of the Round Rock Code of Ordinances regarding the regulation of outdoor signs in the City's extraterritorial jurisdiction. (Second Reading)

*9.B.1. Consider an ordinance changing the name of Chandler Road to University Boulevard. (Second Reading)

*10.A.1. Consider a resolution authorizing the Mayor to execute Change Order No. 3 with Cash Construction Company for the CR 122 Street Improvements Project and the East Water Transmission Line, Phase 3-A Project.

*10.F.4. Consider a resolution authorizing the Mayor to execute a Facilities Extension Agreement with TXU Electric Delivery for electrical services to the Rock 'n River Family Aquatic Center at Old Settlers Park at Palm Valley.

MOTION: Councilmember Williamson moved to approve all the items on the consent agenda. Councilmember Honeycutt seconded the motion.

VOTE:

Ayes:

Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Williamson

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Mayor Maxwell

Absent: Councilmember Rhode

Nays: None

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

*8.A. Consider approval of the City Council minutes for January 12, 2006. This item was approved under the consent agenda.

ORDINANCES:

*9.A.1. Consider an ordinance amending Chapter 3, Section 3.1412 of the Round Rock Code of Ordinances regarding the regulation of outdoor signs in the City's extraterritorial jurisdiction. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 3, SECTION 3.1412 REGARDING THE REGULATION OF OUTDOOR SIGNS IN THE CITY'S EXTRATERRITORIAL JURISDICTION; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*9.B.1. Consider an ordinance changing the name of Chandler Road to University Boulevard. (Second Reading) This item was approved under the consent agenda.

RESOLUTIONS:

*10.A.1. Consider a resolution authorizing the Mayor to execute Change Order No. 3 with Cash Construction Company for the CR 122 Street Improvements Project and the East Water Transmission Line, Phase 3-A Project. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with Cash Construction Company, Ltd. for the Red Bud Lane (CR 122) Street Improvements Project and the East Water Transmission Line Phase 3-A Project, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 3, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Contract Change Order No. 3 to the Contract with Cash Construction Company, Ltd., a copy of said change order being attached hereto as Exhibit "A" and incorporated herein for all purposes.

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The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

10.B.1. Consider a resolution authorizing the Mayor to make the necessary grant application to the U.S. Department of Homeland Security for an Emergency Management Performance Grant to partially fund two Emergency Management Coordinator positions. Larry Hodge, Fire Chief made the staff presentation. The Texas Division of Emergency Management awarded the City with a grant for \$31,982 for FY '05. Participation in the Emergency Management Performance Grant also requires that the City perform those functions deemed essential by the Governor's Division of Emergency Management for the upcoming fiscal year. This grant partially funds salaries for the Emergency Management Coordinator and the Assistant Emergency Management Coordinator. The additional funding will help defray budgeted salaries for the two positions. The funding request reflects 25% of the total salaries and benefits for the Emergency Management Coordinator and Assistant Coordinator, which is \$46,754.

RESOLUTION NO. _____

WHEREAS, the U.S. Department of Homeland Security has grant funds available to cities to assist in developing and carrying out emergency management programs, and

WHEREAS, Emergency Management Performance Grant funds are available to partially fund two Emergency Management Coordinator personnel, and

WHEREAS, the City Council wishes to make application for the above-described grant, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to make the necessary application for the above-described grant.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

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Councilmember Clifford

Councilmember Salinas

Councilmember Williamson

Mayor Maxwell

Absent: Councilmember Rhode

Nays: None

ACTION: The motion carried unanimously.

Mayor Maxwell dispensed with the order of the agenda and addressed the following item.

10.E.2. Consider a resolution changing the name of the Allen R. Baca Senior Center to the Allen R. Baca Activity Center. Rick Atkins, Parks and Recreation Director made the following presentation.

Issue # 1 - Looking at the Numbers

Facts:

- 2004 membership 751
- 2004 offered 1300 classes with 16,000 participants in all classes combined

Activity Center Budget

2005/ 2006 Budget = \$357, 710

Proposed Revenue \$57,000

Williamson County Population

- Williamson County Senior population = 18,389
- 7.4% Williamson County population
- 4.5 % Round Rock population

(According to US Census Bureau 2000 most recent report available)

Round Rock Population

(Ages of citizens in Round Rock according to the 2000 US Census)

- | | | |
|---------|---|--------|
| • x<9 | - | 19.52% |
| • 10<19 | - | 15.40% |
| • 20<24 | - | 6.10% |
| • 24<34 | - | 19.60% |
| • 35<44 | - | 19.20% |
| • 45<54 | - | 11.60% |
| • 55<59 | - | 3.00% |
| • 60 + | - | 5.58% |

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The 11.6% of the population that were 45-54 in the 2000 census would now be six years older. Therefore, staff estimates 20.18% of today's population is age 50 and up.

Baby Boomers

- Baby boomers represent 28% of the United States
- Round Rock approx 24% are 50 and up

(According to US Census Bureau 2000 most recent report available)

Issue #1 Solutions

- Increase Membership
- Expand Programming
- Expand building rentals after hours
- Examine Fees (membership, rental, classes, etc...)
- Relocate programs from Clay Madsen Recreation Center back to the Center
- Take the over-flow programs from Clay Madsen Recreation Center
- Collaborate with other agencies (Round Rock Volunteer Center)

Issue #2

Attracting Baby Boomers

Boomers do not want to acknowledge themselves as "aging" and do not want to be classified as "seniors."

- Many Boomers are still working and expect to retire later than previous generations making the usual Monday – Friday daytime hours of the center less convenient.
- Physical fitness and education programs appeal to boomers

Issue #2 Solutions

- Adjust the title of the Senior Center
- Develop activities and programs boomers want (more challenging physical activities, emphasis on wellness, life-long learning opportunities).
- Offer active travel opportunities, cultural & arts events
- Adjust hours to include evening and weekends
- Update the atmosphere – "wine and cheese events"
- Recruit boomers as board members, instructors and volunteers while they are still working

Recommendation

- Allen R. Baca Center for Senior and Community Activities
- This Center will still be used primarily for senior programming.

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- The Center will also be utilized for intergenerational programming.
- Amendment of the name from Senior Center to Activity Center will help in the City's marketing efforts so all potential users will feel invited to this public building.

RESOLUTION NO. _____

WHEREAS, the City Council has previously adopted Resolution No. R-04-02-26-8A1 naming the Allen R. Baca Senior Center, and

WHEREAS, the City Council now wishes to change the name of the Allen R. Baca Senior Center to the Allen R. Baca Activity Center, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the name of the Allen R. Baca Senior Center is hereby changed to the Allen R. Baca Center for Senior and Community Activities.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Mayor Pro-tem McGraw moved to amend and adopt the resolution by naming the Allen R. Baca Senior Center to the Allen R. Baca Center for Senior and Community Activities.

Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Williamson
		Mayor Maxwell
	Absent:	Councilmember Rhode
	Nays:	None

ACTION: The motion carried unanimously.

10.C.1. Consider a resolution authorizing the Mayor to execute an Agreement for the Purchase of Cold Water Meters from Master Meter, Inc. Tom Word, Chief of Public Works Operations made the staff presentation. The purchase of water meters is a budgeted item included in the operating budget each year. The meters are used for new housing and commercial installations and for replacement of existing meters. The meters will be purchased on an as

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needed basis. The Purchasing Department received four bids on July 19, 2005. Master Meter, Inc. submitted the best-evaluated bid. The total estimated price of the agreement is \$240,677.75.

RESOLUTION NO. _____

WHEREAS, the City of Rock has duly advertised for bids for cold water meters for the City, and

WHEREAS, Master meter, Inc. has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of Master Meter, Inc., Now Therefore BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Purchase of Cold Water Meters with Master Meter, Inc., a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Councilmember Clifford moved to approve the resolution. Mayor Pro-tem

McGraw seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Williamson

Mayor Maxwell

Absent: Councilmember Rhode

Nays: None

ACTION: The motion carried unanimously.

10.D.1. Consider a resolution authorizing the Mayor to execute an Interlocal Contract for aerial imagery and GIS data collection (GeoMap 2006). Jim Stendebach, Planning and Community Development Director made the staff presentation. The CAPCOG GeoMAP Project is a multi-year, cost-sharing initiative to produce and maintain current geospatial base map data for the CAPCOG area. Participants receive several dollars worth of data for every dollar contributed.

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GeorMap is an opportunity for the City to develop low cost and up-to-date GIS data. Developed individually, the data received by the City through this project would cost well over \$200,000. The City has not had a complete aerial imagery, and topographic/planimetric data update since 2003. This project will provide these updated products, which are necessary to support GIS, engineering, planning and many other uses throughout the city. The cost of this contract is \$150,000.00.

The following outlines each department's allocation for the project:

<u>Department</u>	<u>%</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
Planning	25.00%	\$37,500	\$12,500
EDS	8.00%	\$12,000	\$4,000
Transportation	8.00%	\$12,000	\$4,000
Utilities Administration	24.00%	\$36,000	\$12,000
PARD	20.00%	\$30,000	\$10,000
Fire	7.50%	\$11,250	\$3,750
Police	<u>7.50%</u>	<u>\$11,250</u>	<u>\$3,750</u>
Totals	100%	\$150,000	\$50,000

RESOLUTION NO.

WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock wishes to enter into an Interlocal Contract for GeoMap 2006 with the Capital Area Council of Governments for aerial imagery and GIS data collection,
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Interlocal Contract for GeoMap 2006 with the Capital Area Council of Governments for aerial imagery and GIS data collection, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember

Williamson seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt
	Mayor Pro-tem McGraw
	Councilmember Clifford

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Councilmember Salinas

Councilmember Williamson

Mayor Maxwell

Absent: Councilmember Rhode

Nays: None

ACTION: The motion carried unanimously.

10.D.2. Consider a resolution directing the Planning Director to prepare a service plan concerning the annexation of 69.557 acres of land out of the Willis Donaho Survey (GCLC, Northpark at Old Settlers, Park Central Building and Preece Tract) and 30.05 acres of land out of the Joseph Marshall Survey (Highland Terrace). Jim Stendebach, Planning and Community Development Director made the staff presentation. These tracts of land are located within the City of Round Rock's ETJ and Williamson County.

Tract 1 - The tract of land known as GCLC, Northpark @ Old Settlers, Park Central Building and Preece Tract is a total of 69.557 acres located on the south side of CR 113 (Kiphen Rd.) and east of the FM 1460. It is adjacent to single-family residential development, which is known as the Meadows of Chandler Creek M.U.D. to the south. It is the city's desire to annex this tract in order to control the development along this portion of CR 113 (Kiphen Rd.).

Tract 2 - The tract of land known as Highland Terrace is a total of 30.05 acres located westside of Red Bud Lane. It is adjacent to single-family residential development on the west and north and a commercial planned unit development to the south. It is the city's desire to annex this tract in order to control the development and preserve the integrity of the surrounding existing residential neighborhoods.

Two public hearings have been scheduled for Thursday, March 9, 2006, and Thursday, March 23, 2006 for the proposed annexation.

RESOLUTION NO. _____

WHEREAS, Section 43.065(a) of the Texas Local Government Code requires that, within certain specified statutory timeframes, the City Council of the City of Round Rock must direct the City's Planning Director to prepare a service plan that provides for the extension of full municipal services to the areas which are proposed for annexation, Now Therefore

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Council hereby directs the City's Planning Director to prepare a service plan that provides for the extension of full municipal services to the following areas proposed for annexation, said property being further described in Exhibit "A" attached hereto and incorporated herein for all purposes:

- (1) GCLC, Northpark @ Old Settlers, Park Central Building and Preece Tract (69.557 acres);
- (2) Highland Terrace Tract (30.05 acres).

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Williamson
		Mayor Maxwell
	Absent:	Councilmember Rhode
	Nays:	None

ACTION: The motion carried unanimously.

10.E.1. Consider a resolution designating 2 acres of open space along Brushy Creek East Trail. Rick Atkins, Parks and Recreation Director made the staff presentation. As part of the Texas Parks and Wildlife grant application staff is required to dedicate 2 acres of open space to remain relatively undeveloped to preserve the natural area. This resolution will comply with the grant application.

RESOLUTION NO. _____

WHEREAS, the Round Rock City Council desires to provide quality park facilities for the residents of Round Rock, and

WHEREAS, the City of Round Rock has obtained a grant from the Texas Park and Wildlife Department for the development of a community park and desires to comply with all of the requirements set forth in the grant, Now Therefore

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

Section 1. In order to fulfill the requirements of the Texas Parks and Wildlife Department's grant to the City of Round Rock, the City Council hereby designates two acres of parkland along Brushy Creek Trail East for open space.

Section 2. The Mayor is hereby authorized to execute the appropriate documents approving the terms and conditions of the agreement with the Texas Parks and Wildlife Department.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Mayor Pro-tem McGraw moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Williamson
		Mayor Maxwell
	Absent:	Councilmember Rhode
	Nays:	None

ACTION: The motion carried unanimously.

10.E.2. Consider a resolution changing the name of the Allen R. Baca Senior Center to the Allen R. Baca Activity Center. This item was addressed earlier in the meeting.

10.F.1. Consider a resolution authorizing the Mayor to execute a contract with H. Deck Construction Co. for the Old Settlers Park Baseball Complex Improvement Project. Rick Atkins, Parks and Recreation Director made the staff presentation. The Project: Sports Capital of Texas Plan was developed last year to plan for the necessary upgrades to our existing sports complexes, at Old Settlers Park at Palm Valley, to make them top notch recreational and tournament facilities. As part of the Project, Sports Capital of Texas Plan, drainage throughout the OSPV Baseball Complex will be improved to allow increased playability on the fields after rain. This

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project also provides increased parking and upgrades for Fields 1-4. On January 10, 2006, five bids were received for the Old Settlers Park Baseball Complex Improvements Project and the low bid was from H. Deck Construction Co. Based on the review of the bids by City staff and the project engineer, Baker-Aicklen and Associates, Inc, it was recommended the bid be awarded to H. Deck Construction Co. The cost of this contract is \$342,795.15.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has duly advertised for bids for the Old Settlers Park Baseball Complex Improvements Project, and

WHEREAS, H. Deck Construction Company has submitted the lowest responsible bid, and

WHEREAS, the City Council wishes to accept the bid of H. Deck Construction Company,
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a contract with H. Deck Construction Company for the Old Settlers Park Baseball Complex Improvements Project.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Councilmember Williamson moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Williamson
		Mayor Maxwell
	Absent:	Councilmember Rhode
	Nays:	None

ACTION: The motion carried unanimously.

10.F.2. Consider a resolution determining that "Competitive Sealed Proposal" is the delivery method, which provides the best value for the City for the construction of the Forest

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Creek Golf Course Clubhouse Renovations and Pavilion Addition. Tom Word, Chief of Public Works Operations made the staff presentation. Effective September 1, 2001, Texas Local Government Code Section 271.113 allows cities to use certain methods other than competitive bidding in entering into contracts for construction of facilities. One such method is "Competitive Sealed Proposals." Section 271.114 (a) mandates that the "governing body of an entity that is considering a construction contract using a method specified by Section 271.113 (a) other than competitive bidding must, before advertising, determine which method provides the best value for the government entity." With the existing competitive market staff feels that the "competitive sealed proposal" would provide the best value for building this project.

RESOLUTION NO. _____

WHEREAS, Texas Local Government Code, Section 271.113(a) allows governmental entities to use certain methods other than competitive bidding in entering into contracts for construction of facilities, and

WHEREAS, the City of Round Rock is considering using an alternative method other than competitive bidding in entering into a contract for construction of the Forest Creek Golf Course Clubhouse Renovations and Pavilion Addition, and

WHEREAS, the statute requires that a project-by-project determination be made as to what method provides the best value for the governmental entity in relation to a particular project, and

WHEREAS, the Council has determined that this project would be best served by utilizing the "Competitive Sealed Proposal" method, and

WHEREAS, Texas Local Government Code, Section 271.114(a) mandates a time requirement that the "governing body of a governmental entity that is considering a construction contract using a method specified by Section 271.113(a) other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity," and

WHEREAS, the City Council desires to comply with all requirements of the statute, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

In accordance with Texas Local Government Code §271.114(a), the Council has determined that "Competitive Sealed Proposal" is the delivery method which provides the best value for the City for construction of the referenced Forest Creek Golf Course Clubhouse Renovations and Pavilion Addition.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember

Salinas seconded the motion.

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VOTE: Ayes: Councilmember Honeycutt
 Mayor Pro-tem McGraw
 Councilmember Clifford
 Councilmember Salinas
 Councilmember Williamson
 Mayor Maxwell
 Absent: Councilmember Rhode
 Nays: None

ACTION: The motion carried unanimously.

10.F.3. Consider a resolution determining that "Competitive Sealed Proposal" is the delivery method, which provides the best value for the City for the construction of Fire Station #7 at 2811 Oakmont Drive. Tom Word, Chief of Public Works Operations made the staff presentation. Effective September 1, 2001, Texas Local Government Code Section 271.113 allows cities to use certain methods other than competitive bidding in entering into contracts for construction of facilities. One such method is "Competitive Sealed Proposals." Section 271.114 (a) mandates that the "governing body of an entity that is considering a construction contract using a method specified by Section 271.113 (a) other than competitive bidding must, before advertising, determine which method provides the best value for the government entity." With the existing competitive market staff feels that the "competitive sealed proposal" would provide the best value for building this project.

RESOLUTION NO. _____

WHEREAS, Texas Local Government Code, Section 271.113(a) allows governmental entities to use certain methods other than competitive bidding in entering into contracts for construction of facilities, and

WHEREAS, the City of Round Rock is considering using an alternative method other than competitive bidding in entering into a contract for construction of Fire Station #7 located at 2811 Oakmont Drive, and

WHEREAS, the statute requires that a project-by-project determination be made as to what method provides the best value for the governmental entity in relation to a particular project, and

WHEREAS, the Council has determined that this project would be best served by utilizing the "Competitive Sealed Proposal" method, and

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WHEREAS, Texas Local Government Code, Section 271.114(a) mandates a time requirement that the "governing body of a governmental entity that is considering a construction contract using a method specified by Section 271.113(a) other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity," and

WHEREAS, the City Council desires to comply with all requirements of the statute, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

In accordance with Texas Local Government Code §271.114(a), the Council has determined that "Competitive Sealed Proposal" is the delivery method which provides the best value for the City for construction of the referenced Fire Station #7.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

MOTION: Mayor Pro-tem McGraw moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Williamson
		Mayor Maxwell
	Absent:	Councilmember Rhode
	Nays:	None

ACTION: The motion carried unanimously.

*10.F.4. Consider a resolution authorizing the Mayor to execute a Facilities Extension

Agreement with TXU Electric Delivery for electrical services to the Rock 'n River Family Aquatic Center at Old Settlers Park at Palm Valley. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock ("City") is planning a project for the construction of the Rock'n River Family Aquatic Center at Old Settlers Park at Palm Valley ("Project"), and

WHEREAS, TXU Electric Delivery Company ("TXU") is the only provider of electric service to that portion of the City and the only company allowed to provide, install or relocate the equipment necessary for provision of such electric service, and

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WHEREAS, in conjunction with the Project, the City wishes to enter into a Facilities Extension Agreement with TXU for the provision of electrical service to the Project, and

WHEREAS, the Local Government Code, Section 252.022(a)(7) exempts expenditures for sole source providers from the competitive bidding requirements set forth in Local Government Code, Section 252.021, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Facilities Extension Agreement with TXU Electric Delivery for the provision of electrical services to the Rock'n River Family Aquatic Center at Old Settlers Park at Palm Valley, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of January, 2006.

APPOINTMENTS:

11.A. Consider one appointment to fill an unexpired term on the Planning and Zoning

Commission. The term for this position expires June 2006.

MOTION: Mayor Pro-tem McGraw moved that Peter Drapes be appointed to fill the unexpired term on the Planning and Zoning Commission. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Williamson
		Mayor Maxwell
	Absent:	Councilmember Rhode
	Nays:	None

ACTION: The motion carried unanimously.

COUNCIL COMMENTS: None

ADJOURNMENT: There being no further business, the meeting adjourned at 8:43 p.m.

Respectfully Submitted,

Christine R. Martinez, City Secretary